

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
EL PASO DIVISION

GRACIELA GALINDO, JESUS §
GALINDO, SR., EDITH GALINDO, §
Individually and as Net Friend of §
MARGARITA GALINDO, and as §
Representative of the ESTATE OF §
JESUS MANUEL GALINDO, ERICA §
LOZANO, as Next Friend of §
JOHNATHAN GALINDO and JACOB §
GALINDO, and JANNETTE FLORES §
ESTRADA, as Next Friend of LESLIE §
ESTRADA, §

Plaintiffs, §

v. §

No. EP-10-CV-454-DB

REEVES COUNTY, TEXAS, THE GEO §
GROUP, INC., PHYSICIANS §
NETWORK ASSOCIATION, and in their §
Individual Capacities: VERNON §
FARTHING, M.D., WALTER BRADY, §
D.O., RICHARD FEARS, P.A., JAMES §
FITCH, LOU ANN MILLSAP, R.N., §
RNU BULLOCK, Warden DWIGHT §
SIMS, Capt. CHAD DEVIVO, Lt. §
KENNETH MARTIN, JAMES §
BURRELL, Federal Bureau of Prisons §
(BOP) Privatization Management Branch §
Administrator, MATTHEW NACE, §
Chief, BOP Acquisitions Branch, §
EDUARDO DE JESUS, M.D., BOP §
Medical Auditor, and DONNA GRUBE, §
BOP Contracting Officer, §

Defendants. §

DEFENDANT REEVES COUNTY, TEXAS' ORIGINAL ANSWER

TO THE HONORABLE JUDGE OF THE UNITED STATES DISTRICT COURT:

COMES NOW, REEVES COUNTY, TEXAS ("Reeves"), Defendant and files this its Original

Answer subject to its Motion to Transfer Venue, in reply to Plaintiffs' Original Complaint and for such answer says:

1. This defendant admits that Jesus Manuel Galindo was 32 years of age when he died on December 12, 2008, but denies the balance of paragraph 1 of said complaint.
2. This defendant denies the allegations of paragraph 2 of said complaint.
3. This defendant admits that Jesus Manuel Galindo was incarcerated from December 20, 2007, until his death but lacks knowledge or information sufficient to form a belief as to the truth of the allegations of the balance of paragraph 3 of said complaint.
4. This defendant admits the allegations contained in paragraph 4 of said complaint but denies that the City of Pecos' economy is wholly dependant upon the industry of housing federal prisoners.
5. This defendant admits the allegations contained in paragraph 5 of said complaint with the exception of the statement that PNA "promised significant cost cuts".
6. This defendant denies the allegations of paragraph 6 of said complaint.
7. This defendant denies the allegations of paragraph 7 of said complaint.
8. This defendant denies the allegations of paragraph 8 of said complaint.
9. This defendant denies the allegations of paragraph 9 of said complaint.
10. This defendant denies the allegations of paragraph 10 of said complaint.
11. This defendant denies the allegations of paragraph 11 of said complaint.
12. This defendant denies the allegations of paragraph 12 of said complaint.
13. This defendant denies the allegations of paragraph 13 of said complaint.
14. This defendant denies the allegations of paragraph 14 of said complaint.
15. This defendant admits the lawsuit brings federal, constitutional, and state court

claims against various defendants, but denies the balance of the allegations described in paragraph 15 of said complaint.

16. This defendant admits that a riot occurred at RCDC, but denies the balance of the allegations of paragraph 16 of said complaint.

17. This defendant lacks knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 17 of said complaint.

18. This defendant lacks knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 18 of said complaint.

19. This Defendant admits the allegations in paragraph 19 of said complaint.

20. This Defendant admits the allegations in paragraph 20 of said complaint.

21. This defendant denies the allegations of paragraph 21 of said complaint.

22. This Defendant admits that venue is proper in the Western District of Texas but denies that venue is proper in the El Paso Division and states rather that venue is proper in the Pecos Division of Western District of Texas.

23. This defendant lacks knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 23 of said complaint.

24. This defendant lacks knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 24 of said complaint.

25. This defendant lacks knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 25 of said complaint.

26. This defendant lacks knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 26 of said complaint.

27. This defendant denies the allegations of paragraph 27 of said complaint.

28. This defendant denies the allegations of paragraph 28 of said complaint.

29. This defendant admits the allegations of paragraph 29 of said complaint.

30. This defendant admits the allegations of paragraph 30 of said complaint.

31. This defendant admits the allegations of paragraph 31 of said complaint.

32. This defendant admits the allegations of paragraph 32 of said complaint.

33. This defendant admits the allegations of paragraph 33 of said complaint.

34. This defendant admits the allegations in paragraph 34 of said complaint.

35. This defendant admits the allegations in paragraph 35 of said complaint.

36. This defendant admits that Dwight Sims is a Texas resident and was employed by GEO as Warden of RCDC-III. This defendant denies the balance of allegations of paragraph 36 of said complaint.

37. This defendant admits that Captain Chad Devido is a resident of Texas but denies the balance of the allegations of paragraph 37 of said complaint.

38. This defendant admits that Lt. Kenneth Martin is a Texas resident but denies the balance of the allegations of paragraph 38 of said complaint.

39. This defendant admits the first sentence but denies the balance of allegations of paragraph 39 of said complaint.

40. This defendant admits the allegations of paragraph 40 of said complaint.

41. This defendant admits the allegations of paragraph 41 of said complaint.

42. This defendant admits the allegations of paragraph 42 of said complaint.

43. This defendant admits the allegations of paragraph 43 of said complaint.

44. This defendant admits the allegations of paragraph 44 of said complaint.

45. This defendant denies the allegations of paragraph 45 of said complaint.

46. This defendant admits the allegations of paragraph 46 of said complaint.

47. This defendant lacks knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 47 of said complaint.

48. This defendant lacks knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 48 of said complaint.

49. This defendant lacks knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 49 of said complaint.

50. This defendant lacks knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 50 of said complaint.

51. This defendant lacks knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 51 of said complaint.

52. This defendant lacks knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 52 of said complaint.

53. This defendant lacks knowledge or information sufficient to form a belief as to the truth of the factual averments of paragraph 53 of said complaint.

54. This defendant lacks knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 54 of said complaint.

55. This defendant lacks knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 55 of said complaint.

56. This defendant lacks knowledge or information sufficient to form a belief as to the truth of the factual averments of paragraph 56 of said complaint.

57. This defendant lacks knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 57 of said complaint.

58. This defendant lacks knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 58 of said complaint.

59. This defendant admits the allegations of paragraph 59 of said complaint.

60. This defendant lacks knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 60 of said complaint.

61. This defendant admits the allegations of paragraph 61 of said complaint.

62. This defendant denies the allegations of paragraph 62 of said complaint.

63. This defendant denies the allegations of paragraph 63 of said complaint.

64. This defendant denies the allegations of paragraph 64 of said complaint.

65. This defendant denies the allegations of paragraph 65 of said complaint.

66. This defendant admits the allegations of paragraph 66 of said complaint.

67. This defendant admits the allegations of paragraph 67 of said complaint.

68. This defendant admits the allegations of paragraph 68 of said complaint.

69. This defendant denies the allegations of paragraph of 69 of said complaint.

70. This defendant admits the allegations contained in paragraph 70 of said complaint.

71. This defendant lacks knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 71 of said complaint.

72. This defendant lacks knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 72 of said complaint.

73. This defendant denies the allegations of paragraph 73 of said complaint.

74. This defendant admits the allegations of paragraph 74 of said complaint.

75. This defendant admits the allegations of paragraph 75 of said complaint.

76. This defendant lacks knowledge or information sufficient to form a belief as to the

truth of the allegations of paragraph 76 of said complaint.

77. This defendant lacks knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 77 of said complaint.

78. This defendant admits the allegations of paragraph 78 contained in the first sentence of that paragraph, but lacks knowledge or information sufficient to form a belief as to the truth of the second sentence of the allegations of paragraph 78 of said complaint.

79. This defendant lacks knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 79 of said complaint.

80. This defendant lacks knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 80 of said complaint.

81. This defendant admits the allegations of paragraph 81 of said complaint.

82. This defendant lacks knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 82 of said complaint.

83. This defendant lacks knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 83 of said complaint.

84. This defendant lacks knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 84 of said complaint.

85. This defendant lacks knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 85 of said complaint.

86. This defendant lacks knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 86 of said complaint.

87. This defendant lacks knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 87 of said complaint.

88. This defendant admits the allegations of paragraph 88 of said complaint.

89. This defendant lacks knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 89 of said complaint.

90. This defendant admits the allegations of paragraph 90 of said complaint.

91. This defendant admits the allegations of paragraph 91 of said complaint.

92. This defendant denies the allegations of paragraph 92 of said complaint.

93. This defendant denies the allegations of paragraph 93 of said complaint.

94. This defendant lacks knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 94 of said complaint.

95. This defendant denies the allegations of paragraph 95 of said complaint.

96. This defendant denies the allegations of paragraph 96 of said complaint.

97. This defendant denies the allegations of paragraph 97 of said complaint.

98. This defendant denies the allegations of paragraph 98 of said complaint.

99. This defendant denies the allegations of paragraph 99 of said complaint.

100. This defendant denies the allegations of paragraph 100 of said complaint.

101. This defendant denies the allegations of paragraph 101 of said complaint.

102. This defendant denies the allegations of paragraph 102 of said complaint.

103. This defendant admits the allegations contained in paragraph 103 of said complaint.

104. This defendant denies the allegations in paragraph 104 of said complaint.

105. This defendant denies the allegations of paragraph 105 of said complaint.

106. This defendant denies the allegations of paragraph 106 of said complaint.

107. This defendant denies the allegations of paragraph 107 of said complaint.

108. This defendant denies the allegations of paragraph 108 of said complaint.

109. This defendant denies the allegations of paragraph 109 of said complaint.

110. This defendant denies the allegations of paragraph 110 of said complaint.

111. This defendant admits the allegations of paragraph 111, as they pertain to Mr.

Galindo being brought to the clinic, and denies the balance of the allegations of paragraph 111 of said complaint.

112. This defendant denies the allegations of paragraph 112 of said complaint.

113. This defendant denies the allegations of paragraph 113 of said complaint.

114. This defendant denies the allegations of paragraph 114 of said complaint.

115. This defendant denies the allegations of paragraph 115 of said complaint.

116. This defendant denies the allegations of paragraph 116 of said complaint.

117. This defendant denies the allegations of paragraph 117 of said complaint.

118. This defendant denies the allegations of paragraph 118 of said complaint.

119. This defendant denies the allegations of paragraph 119 of said complaint.

120. This defendant denies the allegations of paragraph 120 of said complaint.

121. This defendant lacks knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 121 of said complaint.

122. This defendant admits the allegations of paragraph 122 of said complaint.

123. This defendant denies the allegations of paragraph 123 of said complaint.

124. This defendant lacks knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 124 and of said complaint.

125. This defendant denies the allegations of paragraph 125 and of said complaint.

126. This defendant denies the allegations of paragraph 126 of said complaint.

127. This defendant denies the allegations of paragraph 127 of said complaint.

128. This defendant denies the allegations of paragraph 128 of said complaint.

129. This defendant denies the allegations of paragraph 129 of said complaint.

130. This defendant denies the allegations of paragraph 130 of said complaint.

131. This defendant lacks knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 131 of said complaint.

132. This defendant denies the allegations of paragraph 132 of said complaint.

133. This defendant denies the allegations of paragraph 133 of said complaint.

134. This defendant denies the allegations of paragraph 134 of said complaint.

135. This defendant denies the allegations of paragraph 135 of said complaint.

136. This defendant denies the allegations of paragraph 136 of said complaint.

137. This defendant denies the allegations of paragraph 137 of said complaint.

138. This defendant denies the allegations of paragraph 138 of said complaint.

139. This defendant denies the allegations of paragraph 139 of said complaint.

140. This defendant denies the allegations of paragraph 140 of said complaint.

141. This defendant denies the allegations of paragraph 141 of said complaint.

142. This defendant denies the allegations of paragraph 142 of said complaint.

143. This defendant denies the allegations of paragraph 143 of said complaint.

144. This defendant denies the allegations of paragraph 144 of said complaint.

145. This defendant denies the allegations of paragraph 145 of said complaint.

146. This defendant denies the allegations of paragraph 146 of said complaint.

147. This defendant denies the allegations of paragraph 147 of said complaint.

148. This defendant denies the allegations of paragraph 148 of said complaint.

149. This defendant denies the allegations of paragraph 149 of said complaint.

150. This defendant denies the allegations of paragraph 150 of said complaint.

151. This defendant lacks knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 151 of said complaint.

152. This defendant lacks knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 152 of said complaint.

153. This defendant lacks knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 153 of said complaint.

154. This defendant denies the allegations of paragraph 154 of said complaint.

155. This defendant denies the allegations of paragraph 155 of said complaint.

156. This defendant denies the allegations of paragraph 156 of said complaint.

157. This defendant denies the allegations of paragraph 157 of said complaint.

158. This defendant denies the allegations of paragraph 158 of said complaint.

159. This defendant denies the allegations of paragraph 159 of said complaint.

160. This defendant denies the allegations of paragraph 160 of said complaint.

161. This defendant denies the allegations of paragraph 161 of said complaint.

162. This defendant denies the allegations of paragraph 162 of said complaint.

163. This defendant lacks knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 163 of said complaint.

164. This defendant lacks knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 164 of said complaint.

165. This defendant lacks knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 165 of said complaint.

166. This defendant denies the allegations of paragraph 166 of said complaint.

167. This defendant denies the allegations of paragraph 167 of said complaint.

168. This defendant denies the allegations of paragraph 168 of said complaint.

169. This defendant denies the allegations of paragraph 169 of said complaint.

170. This defendant admits the allegations of paragraph 170 of said complaint.

171. This defendant admits the allegations of paragraph 171 of said complaint.

172. This defendant denies the allegations of paragraph 172 of said complaint.

173. This defendant lacks knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 173 of said complaint.

174. This defendant lacks knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 174 of said complaint.

175. This defendant lacks knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 175 of said complaint.

176. This defendant admits the allegations of paragraph 176 of said complaint.

177. This defendant denies the allegations of paragraph 177 of said complaint.

178. This defendant denies the allegations of paragraph 178 of said complaint.

179. This defendant denies the allegations of paragraph 179 of said complaint.

180. This defendant admits the allegations of paragraph 180 of said complaint.

181. This defendant admits the allegations of paragraph 181 of said complaint.

182. This defendant denies the allegations of paragraph 182 of said complaint.

183. This defendant lacks knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 183 of said complaint.

184. This defendant denies the allegations of paragraph 184 of said complaint.

185. This defendant denies the allegations of paragraph 185 of said complaint.

186. This defendant denies the allegations of paragraph 186 of said complaint.

187. This defendant denies the allegations of paragraph 187 of said complaint.

188. This defendant denies the allegations of paragraph 188 of said complaint.

189. This defendant denies the allegations of paragraph 189 of said complaint.

190. This defendant denies the allegations of paragraph 190 of said complaint.

191. This defendant denies the allegations of paragraph 191 of said complaint.

192. This defendant denies the allegations of paragraph 192 of said complaint.

193. This defendant denies the allegations of paragraph 193 of said complaint.

194. This defendant denies the allegations of paragraph 194 of said complaint.

195. This defendant denies the allegations of paragraph 195 of said complaint.

196. This defendant denies the allegations of paragraph 196 of said complaint.

197. This defendant denies the allegations of paragraph 197 of said complaint.

198. This defendant denies the allegations of paragraph 198 of said complaint.

199. This defendant denies the allegations of paragraph 199 of said complaint.

200. This defendant denies the allegations of paragraph 200 of said complaint.

201. This defendant denies the allegations of paragraph 201 of said complaint.

202. This defendant denies the allegations of paragraph 202 of said complaint.

203. This defendant lacks knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 203 of said complaint.

204. This defendant denies the allegations of paragraph 204 of said complaint.

205. This defendant denies the allegations of paragraph 205 of said complaint.

206. This defendant denies the allegations of paragraph 206 of said complaint.

207. This defendant denies the allegations of paragraph 207 of said complaint.

208. This defendant denies the allegations of paragraph 208 of said complaint..

209. This defendant denies the allegations of paragraph 209 of said complaint.

210. This defendant denies the allegations of paragraph 210 of said complaint.

211. This defendant denies the allegations of paragraph 211 of said complaint.

212. This defendant denies the allegations of paragraph 212 of said complaint.

213. This defendant denies the allegations of paragraph 213 of said complaint.

214. This defendant denies the allegations of paragraph 214 of said complaint.

215. This defendant denies the allegations of paragraph 215 of said complaint.

216. This defendant admits the allegations of paragraph 216 of said complaint.

217. This defendant denies the allegations of paragraph 217 of said complaint.

218. This defendant denies the allegations of paragraph 218 of said complaint.

219. This defendant denies the allegations of paragraph 219 of said complaint.

220. This defendant denies the allegations of paragraph 220 of said complaint.

221. This defendant denies the allegations of paragraph 221 of said complaint.

222. This defendant denies the allegations of paragraph 222 of said complaint.

223. This defendant denies the allegations of paragraph 223 of said complaint.

224. This defendant admits that it has had difficulties in staffing in the past but denies the balance of the allegations of paragraph 224 of said complaint, particularly regarding ongoing perennial problems of staffing of essential and non-essential staff vacancies.

225. This defendant denies the allegations of paragraph 225 of said complaint.

226. This defendant denies the allegations of paragraph 226 of said complaint.

227. This defendant denies the allegations of paragraph 227 of said complaint.

228. This defendant denies the allegations of paragraph 228 of said complaint.

229. This defendant denies the allegations of paragraph 229 of said complaint.

230. This defendant denies the allegations of paragraph 230 of said complaint.

231. This defendant admits the allegations of paragraph 231 of said complaint.

232. This defendant lacks knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 232 of said complaint.

233. This defendant lacks knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 233 of said complaint.

234. This defendant denies the allegations of paragraph 234 of said complaint.

235. This defendant denies the allegations of paragraph 235 of said complaint.

236. This defendant lacks knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 236 of said complaint.

237. This defendant denies the allegations of paragraph 237 of said complaint.

238. This defendant denies the allegations of paragraph 238 of said complaint.

239. This defendant denies the allegations of paragraph 239 of said complaint.

240. This defendant lacks knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 240 of said complaint.

241. This defendant lacks knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 241 of said complaint.

242. This defendant lacks knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 242 of said complaint.

243. This defendant lacks knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 243 of said complaint.

244. This defendant admits that the BOP issued CAR 5 to Reeves County and its sub-contractors but denies the balance of the allegations of paragraph 244 of said complaint.

245. This defendant lacks knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 245 of said complaint.

246. This defendant admits the allegations of paragraph 246 of said complaint.

247. This defendant admits the allegations of paragraph 247 of said complaint.

248. This defendant admits the allegations of paragraph 248 of said complaint.

249. This defendant lacks knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 249 of said complaint.

250. This defendant lacks knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 250 of said complaint.

251. This defendant lacks knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 251 of said complaint.

252. This defendant lacks knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 252 of said complaint.

253. This defendant lacks knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 253 of said complaint.

254. This defendant denies the allegations of paragraph 254 of said complaint.

255. This defendant denies the allegations of paragraph 255 of said complaint.

256. This defendant denies the allegations of paragraph 256 of said complaint.

257. This defendant lacks knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 257 of said complaint.

258. This defendant admits the allegations of paragraph 258 of said complaint.

259. This defendant lacks knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 259 of said complaint.

260. This defendant denies the allegations of paragraph 260 of said complaint.

261. This defendant lacks knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 261 of said complaint.

262. This defendant lacks knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 262 of said complaint.

263. This defendant lacks knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 263 of said complaint.

264. This defendant lacks knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 264 of said complaint.

265. This defendant lacks knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 265 of said complaint.

266. This defendant lacks knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 266 of said complaint.

267. This defendant denies the allegations of paragraph 267 of said complaint.

268. This defendant lacks knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 268 of said complaint.

269. This defendant lacks knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 269 of said complaint.

270. This defendant lacks knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 270 of said complaint.

271. This defendant denies the allegations of paragraph 271 of said complaint.

272. This defendant lacks knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 272 of said complaint.

273. This defendant lacks knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 273 of said complaint.

274. This defendant denies the allegations of paragraph 274 of said complaint.

275. This defendant lacks knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 275 of said complaint.

276. This defendant lacks knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 276 of said complaint.

277. This defendant lacks knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 277 of said complaint.

278. This defendant denies the allegations of paragraph 278 of said complaint.

279. This defendant denies the allegations of paragraph 279 of said complaint.

280. This defendant denies the allegations of paragraph 280 of said complaint.

281. This defendant denies the allegations of paragraph 281 of said complaint.

282. This defendant denies the allegations of paragraph 282 of said complaint.

283. This defendant lacks knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 283 of said complaint.

284. This defendant lacks knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 284 of said complaint.

285. This defendant admits the allegations of paragraph 285 of said complaint.

286. This defendant lacks knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 286 of said complaint.

287. This defendant admits the allegations of paragraph 287 of said complaint.

288. This defendant lacks knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 288 of said complaint.

289. This defendant admits the allegations of paragraph 289 of said complaint.

290. This defendant denies the allegations of paragraph 290 of said complaint.

291. This defendant denies the allegations of paragraph 291 of said complaint.

292. This defendant denies the allegations of paragraph 292 of said complaint.

293. This defendant denies the allegations of paragraph 293 of said complaint.

294. This defendant denies the allegations of paragraph 294 and of said complaint.

295. This defendant lacks knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 295 of said complaint.

296. This defendant admits the allegations of paragraph 296 of said complaint.

297. This defendant denies the allegations of paragraph 297 of said complaint.

298. This defendant denies the allegations of paragraph 298 of said complaint.

299. This defendant denies the allegations of paragraph 299 of said complaint.

300. This defendant denies the allegations of paragraph 300 of said complaint.

301. This defendant denies the allegations of paragraph 301 of said complaint.

302. This defendant lacks knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 302 of said complaint.

303. This defendant denies the allegations of paragraph 303 and of said complaint.

304. This defendant lacks knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 304 of said complaint.

305. This defendant lacks knowledge or information sufficient to form a belief as to the

truth of the allegations of paragraph 305 of said complaint.

306. This defendant lacks knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 306 of said complaint.

307. This defendant denies the allegations of paragraph 307 of said complaint.

308. This defendant lacks knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 308 of said complaint.

309. This defendant denies the allegations of paragraph 309 of said complaint.

310. This defendant lacks knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 310 of said complaint.

311. This defendant denies the allegations of paragraph 311 of said complaint.

312. This defendant denies the allegations of paragraph 312 of said complaint.

313. This defendant lacks knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 313 and of said complaint.

314. This defendant denies the allegations of paragraph 314 of said complaint.

315. This defendant denies the allegations of paragraph 315 of said complaint.

316. This defendant denies the allegations of paragraph 316 of said complaint.

317. This defendant denies the allegations of paragraph 317 of said complaint.

318. This defendant denies the allegations of paragraph 318 of said complaint.

319. This defendant denies the allegations of paragraph 319 of said complaint.

320. This defendant denies the allegations of paragraph 320 of said complaint.

321. This defendant denies the allegations of paragraph 321 of said complaint.

322. This defendant denies the allegations of paragraph 322 of said complaint.

323. This defendant denies the allegations of paragraph 323 of said complaint.

- 324. This defendant denies the allegations of paragraph 324 of said complaint.
- 325. This defendant denies the allegations of paragraph 325 of said complaint.
- 326. This defendant denies the allegations of paragraph 326 of said complaint.
- 327. This defendant denies the allegations of paragraph 327 of said complaint.
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- 331. This defendant denies the allegations of paragraph 331 of said complaint.
- 332. This defendant denies the allegations of paragraph 332 of said complaint.
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- 338. This defendant denies the allegations of paragraph 338 of said complaint.
- 339. This defendant denies the allegations of paragraph 339 of said complaint.
- 340. This defendant denies the allegations of paragraph 340 of said complaint.
- 341. This defendant denies the allegations of paragraph 341 of said complaint.
- 342. This defendant denies the allegations of paragraph 342 of said complaint.
- 343. This defendant denies the allegations of paragraph 343 of said complaint.
- 344. This defendant denies the allegations of paragraph 344 of said complaint.
- 345. This defendant denies the allegations of paragraph 345 of said complaint.
- 346. This defendant denies the allegations of paragraph 346 of said complaint.

- 347. This defendant denies the allegations of paragraph 347 of said complaint.
- 348. This defendant denies the allegations of paragraph 348 of said complaint.
- 349. This defendant denies the allegations of paragraph 349 of said complaint.
- 350. This defendant denies the allegations of paragraph 350 of said complaint.
- 351. This defendant denies the allegations of paragraph 351 of said complaint.
- 352. This defendant denies the allegations of paragraph 352 of said complaint.
- 353. This defendant denies the allegations paragraph 353 of said complaint.
- 354. This defendant denies the allegations of paragraph 354 of said complaint.
- 355. This defendant denies the allegations of paragraph 355 of said complaint.
- 356. This defendant denies the allegations of paragraph 356 of said complaint.
- 357. This defendant denies the allegations of paragraph 357 of said complaint.
- 358. This defendant denies the allegations of paragraph 358 of said complaint.
- 359. This defendant denies the allegations of paragraph 359 of said complaint.
- 360. This defendant denies the allegations of paragraph 360 of said complaint.
- 361. This defendant denies the allegations of paragraph 361 of said complaint.
- 362. This defendant denies the allegations of paragraph 362 of said complaint.
- 363. This defendant denies the allegations of paragraph 363 of said complaint.
- 364. This defendant denies the allegations of paragraph 364 of said complaint.
- 365. This defendant denies the allegations of paragraph 365 of said complaint.
- 366. This defendant denies the allegations of paragraph 366 of said complaint.
- 367. This defendant denies the allegations of paragraph 367 of said complaint.
- 368. This defendant denies the allegations of paragraph 368 of said complaint.
- 369. This defendant denies the allegations of paragraph 369 of said complaint.

- 370. This defendant denies the allegations of paragraph 370 of said complaint.
- 371. This defendant denies the allegations of paragraph 371 of said complaint.
- 372. This defendant denies the allegations of paragraph 372 of said complaint.
- 373. This defendant denies the allegations of paragraph 373 of said complaint.
- 374. This defendant denies the allegations of paragraph 374 of said complaint.
- 375. This defendant denies the allegations of paragraph 375 of said complaint.
- 376. This defendant denies the allegations of paragraph 376 of said complaint.
- 377. This defendant denies the allegations of paragraph 377 of said complaint.
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- 379. This defendant denies the allegations of paragraph 379 of said complaint.
- 380. This defendant denies the allegations of paragraph 380 of said complaint.
- 381. This defendant denies the allegations of paragraph 381 of said complaint.
- 382. This defendant denies the allegations of paragraph 382 of said complaint.
- 383. This defendant denies the allegations of paragraph 383 of said complaint.
- 384. This defendant denies the allegations of paragraph 384 of said complaint.
- 385. This defendant denies the allegations of paragraph 385 of said complaint.
- 386. This defendant denies the allegations of paragraph 386 of said complaint.
- 387. This defendant admits the allegations of paragraph 387 of said complaint.
- 388. This defendant denies the allegations of paragraph 388 of said complaint.

Subject to the foregoing admissions and denials, this defendant generally denies all of the allegations contained in plaintiffs' complaint and demands strict proof thereof by a preponderance of the evidence.

AFFIRMATIVE DEFENSES

389. This defendant asserts that its entitled to both the Eleventh Amendment Immunity and Sovereign Immunity from all claims asserted against it. This defendant is protected from both suit and liability by the doctrines of Eleventh Amendment and Sovereign Immunity

390. This defendant asserts the affirmative defense of comparative responsibility with regard to the negligence claims alleged against it and requests that the jury compare fault of all parties, including that of the decedent, that may have caused or contributed to any injuries or damages complained of by Plaintiffs.

391. This defendant asserts the defense of contributory negligence.

392. This defendant asserts the limitation of damages that may apply in this cause of action including but not limited to all caps and limitations set forth in Texas Civil Practice and Remedies Code § 41.01 *et seq.* and the Texas Civil Practice and Remedies Code §101.023 and §101.024.

393. This defendant affirmatively alleges that the plaintiffs' claims constitute healthcare liability claims and this defendant is protected by the defenses and limitations of liability set forth in Chapter 74 of the Texas Civil Practice and Remedies Code concerning medical liability.

394. This defendant affirmatively alleges that there has not been an exhaustion of the mandates of the Prison Litigation Reform Act which is a pre-requisite to bringing suit for a suit concerning conditions of confinement.

395. This defendant affirmatively alleges that plaintiffs have failed to state a claim against him pursuant to the Eighth Amendment.

WHEREFORE PREMISES CONSIDERED, this defendant prays that plaintiffs take nothing by their lawsuit and that this defendant recover all costs incurred including attorneys fees associated with the defense of this action.

Respectfully submitted

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By: /s/
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State Bar No. 02608500

Attorneys for REEVES COUNTY TEXAS and its
employees named as Defendants

CERTIFICATE OF SERVICE

I RICHARD BONNER hereby certify that a true and correct copy of the foregoing document was electronically filed with the Clerk of the Court using the CM/ECF system which sent notification of the filing to all counsel of record on this 13 day of January 2011.

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